

Message Text

UNCLASSIFIED

PAGE 01 STATE 242526

62

ORIGIN EB-11

INFO OCT-01 NEA-10 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 SSO-00 L-03 IO-14 H-03

OIC-04 NSC-10 PA-04 PRS-01 USIE-00 PM-07 SPC-03

NSCE-00 INRE-00 SS-20 /111 R

DRAFTED BY EB/OA/AVP:JSGRAVATT:DWL

APPROVED BY EB/OA/AVP:JASILBERSTEIN

OSD/ISA - COMDR. SICK

NEA/ARP - SWBUCK

L/EB - HRGAITHER

IO/TRC - PMILLER

IO - RDMOREY

----- 101751

O 112319Z DEC 73

FM SECSTATE WASHDC

TO AMCONSUL MONTREAL IMMEDIATE

UNCLAS STATE 242526

E.O. 11652: N/A

TAGS: ETRN, YS

SUBJ: ICAO - CABLE FROM PEOPLE'S DEMOCRATIC REPUBLIC OF

YEMEN RE US MILITARY FLIGHTS IN ADEN AREA

REF : MONTREAL 2290

1. FOLLOWING IS US REPLY TO BE TRANSMITTED TO ICAO COUNCIL
PRESIDENT:

QUOTE DEAR MR. BINAGHI:

I REFER TO YOUR LETTER OF DECEMBER 5, 1973 WHICH QUOTED
ALLEGATIONS BY THE DIRECTOR OF CIVIL AVIATION OF THE
PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN THAT U.S. AIRCRAFT
VIOLATED INTERNATIONAL LAW ON DECEMBER 3, 1973 IN THE
VICINITY OF THE GULF OF ADEN. THE CABLE ICAO RECEIVED FROM
THE DIRECTOR OF CIVIL AVIATION ALLEGES THAT U.S. AIRCRAFT
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 242526

MANEUVERED NEAR CIVILIAN AIRCRAFT IN SUCH A MANNER AS TO

ENDANGER THEM.

A CAREFUL INVESTIGATION BY MY GOVERNMENT OF THE ALLEGED INCIDENT DISCLOSES THAT THE UNITED STATES MILITARY AIRCRAFT INVOLVED (TWO CRUSADERS) WERE CONDUCTING A ROUTINE IDENTIFICATION OPERATION OVER INTERNATIONAL WATERS IN THE VICINITY OF THE U.S. AIRCRAFT CARRIER USS HANCOCK. THE AIRCRAFT WERE OPERATING UNDER STRICT INSTRUCTIONS AND CONTROL TO MAINTAIN DISTANCES AND ALTITUDES CONSISTENT WITH THE SAFETY OF THE AIRCRAFT BEING IDENTIFIED AND THESE

INSTRUCTIONS WERE FOLLOWED IN THIS CASE. THE CLOSEST POINT OF APPROACH WAS MORE THAN 1000 FEET ABEAM ON A COURSE PARALLEL TO THE UNIDENTIFIED AIRCRAFT. SUCH IDENTIFICATION DID NOT INFRINGE ON THE AIRCRAFT'S RIGHTS OF FREEDOM OVER THE HIGH SEAS. FURTHERMORE, THE AIRCRAFT DID NOT CONDUCT ANY MANEUVERS IN SUCH A MANNER AS TO EITHER HARASS OR ENDANGER THE UNIDENTIFIED AIRCRAFT. THUS DUE REGARD FOR THE SAFETY OF NAVIGATION OF CIVIL AIRCRAFT WAS EXERCISED IN ACCORDANCE WITH ARTICLE 3 (D) OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION.

ACCORDINGLY, THE UNITED STATES GOVERNMENT CANNOT ACCEPT THE AFOREMENTIONED ALLEGATIONS. UNQUOTE. KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, MILITARY AIRCRAFT, AIRSPACE VIOLATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 DEC 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE242526
Document Source: CORE
Document Unique ID: 00
Drafter: JS GRAVATT:DWL
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731231/aaaaawli.tel
Line Count: 86
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: MONTREAL 2290
Review Action: RELEASED, APPROVED
Review Authority: collinp0
Review Comment: n/a
Review Content Flags:
Review Date: 07 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07-Sep-2001 by thomasv0>; APPROVED <18 MAR 2002 by collinp0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICAO - CABLE FROM PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN RE US MILITARY FLIGHTS IN ADEN AREA
TAGS: ETRN, YS, US, ICAO
To: MONTREAL
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005